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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------|------------------|
| 10/674,000 | 09/30/2003 | Hans-Rudolf Nageli | ATM-2358 | 2806 |
| 217 7590 03/14/2006 | | EXAMINER | | |
| FISHER, CHRISTEN & SABOL 1725 K STREET, N.W. SUITE 1108 WASHINGTON, DC 20006 | | | PARKER, FREDERICK JOHN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1762 | |

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| ŧ. | Application No. | Applicant(s) |
| Notice of Non-Compliant | 10/674,000 | NAGELI ET AL. |
| Amendment (37 CFR 1.121) | Examiner | Art Unit |
| , | Frederick J. Parker | 1762 |
| The MAILING DATE of this communication app | ears on the cover sheet with the co | orrespondence address |
| The amendment document filed on <u>08 February 2006</u> is requirements of 37 CFR 1.121 or 1.4. In order for the antem(s) is required. | | |
| THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE 1. Amendments to the specification: A. Amended paragraph(s) do not include B. New paragraph(s) should not be under C. Other | markings. | BE NON-COMPLIANT: |
| 2. Abstract:A. Not presented on a separate sheet. 37B. Other | CFR 1.72. | |
| 3. Amendments to the drawings: A. The drawings are not properly identifies "Annotated Sheet" as required by 37 C | CFR 1.121(d). | |
| B. The practice of submitting proposed do showing amended figures, without maC. Other | | |
| 4. Amendments to the claims: A. A complete listing of all of the claims is B. The listing of claims does not include the claim of claim has not been provided with of each claim cannot be identified. Not number by using one of the following such that (Previously presented), (New), (Not end of the claims of this amendment paper he complete. E. Other: See Continuation Sheet. | he text of all pending claims (incluing the proper status identifier, and a stee: the status of every claim musstatus identifiers: (Original), (Currentered), (Withdrawn) and (Withdrawn) | as such, the individual status to be indicated after its claim ently amended), (Canceled), iwn-currently amended). |
| 5. Other (e.g., the amendment is unsigned or ne | ot signed in accordance with 37 C | FR 1.4): |
| For further explanation of the amendment format require | d by 37 CFR 1.121, see MPEP § | 714. |
| TIME PERIODS FOR FILING A REPLY TO THIS NOTIC | DE: | |
| Applicant is given no new time period if the non-co filed after allowance. If applicant wishes to resubmit entire corrected amendment must be resubmitted. | the non-compliant after-final ame | |
| 2. Applicant is given one month, or thirty (30) days, where correction, if the non-compliant amendment is one of (including a submission for a request for continued effective amendment filed within a suspension period under 3 Quayle action. If any of above boxes 1, to 4, are che non-compliant amendment in compliance with 37 CF | f the following: a preliminary ame examination (RCE) under 37 CFR 7 CFR 1.103(a) or (c), and an am cked, the correction required is o | ndment, a non-final amendment 1.114), a supplemental pendment filed in response to a |
| Extensions of time are available under 37 CFR amendment or an amendment filed in response to | | amendment is a non-final |
| Failure to timely respond to this notice will result Abandonment of the application if the non-confiled in response to a Quayle action; or Non-entry of the amendment if the non-complement amendment. Fred J. Parker, Primary Examiner AU 1762 | mpliant amendment is a non-final | |

Legal Instruments Examiner (LIE), if applicable
U.S. Patent and Trademark Office

Part of Paper No. 20060309

PRIMARY EXAMINER Phone No.

Continuation of 4(e) Other: amended claims #3,4,7,8,9 fail to underline added text and indicate deleted text using strike-through to change claim dependency as required by 37 CFR 1.121 (R89). It is further noted the omission renders the Applicants' arguments to the Examiner's Claim Objections to duplicate claims in his first Office Action inappropriate since the evidence of substantial duplication is now established, and a supplemental response would appear in order for the record when responding to the Notice of non-compliance.